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RICHMOND, VA., TUESDAY, DECEMBER 14, 1909.

THE WEATHER TO-DAY—Fair.

PRICE TWO CENTS.

## MUCH EVIDENCE OF WHICH PUBLIC KNOWS NOTHING

Prosecutor Believes  
Miss Virginia Ward-  
law Cannot Escape.

## MISSING MOTHER IS BEING SOUGHT

An Indictment of Her May Also  
Be Asked When Bathub Case  
Goes Before Grand Jury  
To-Day—Mysteries  
Still Piling  
Up.

[Special to The Times-Dispatch.]  
NEW YORK, December 13.—The "bathub" case is expected to go before the grand jury to-morrow. Prosecutor Nott, of Essex county, said to-day that he had much more evidence against Miss Virginia O. Wardlaw than was made public at Saturday's hearing. Chief Justice Gurnea will make a special charge to the grand jury.

It was reported that an indictment of Mrs. Caroline E. Martin, the missing mother, will also be asked for.

Chief Bell, of the Orange police, received yesterday an anonymous letter, according to the description of Fletcher Sneed secured board at her house near the scene of the tragedy about three weeks before Oey was found dead.

The stranger kept to himself, and his behavior was mysterious. He received many letters, and left hurriedly about two days before Oey's body was found. The writer did not give her address or the name of the boarder.

Investigation yesterday revealed that Mrs. Martin was forced to resign as principal of public school No. 17 because of the death of Oey. Thomas S. O'Brien found she sought to get mental control of teachers for the purpose of borrowing money she never repaid, or having them attend to her private business, which often kept them after hours.

The Rev. O. W. Wardlaw, of Union, S. C. brother to the three women whose lives were so closely linked with that of Oey Sneed, the "bathub victim," has taken an active part in aiding his sisters during the last few days, and to-night, with Attorney Fort and Mrs. Williams, a cousin, left Newark for New York to attend a conference as to the means the family will take to help Miss Virginia, who is held as a suspect.

Detectives Orrell and Ricker, of the East Orange force, followed them to New York and watched closely for the possible appearance of Mrs. Martin.

Mrs. Martin still missing. Fletcher Sneed, husband of Oey, the dead woman, cannot be found, the Rev. Mr. Wardlaw will not consent to be interviewed, and Mrs. Sneed, mother of Fletcher, remains in seclusion at No. 466 West Twenty-second Street.

From behind the locked door of her room, Mrs. Sneed said to-day:

"It is none of the public's business about us, and the unfortunate death of Oey. As for the death of the relative, it is the least of the matter. There is no mystery about us. We are aristocratic Southerners, unfortunately thrown with neighbors who had nothing to do with it. We left our papers at the stores of strangers because we moved so much and did not wish to be bothered. The insurance on Oey's life was something that pertains to us. She isn't the first woman whose life has been insured, yet the first who committed suicide."

By the time the authorities present the case to the grand jury, William J. Kinsey, a lawyer, expects to be able to testify definitely whether the note which was planned to the young woman's gown was written by her.

The case of the prosecution of Miss Wardlaw depends largely on the authenticity of this note, as it has indicated the intention of the writer to commit suicide.

Expert Kinsey has obtained so far only two boxes of letters, and Mrs. Sneed, and as both were written while she was ill in bed, they are not considered fair examples. But Mr. Kinsey has already reached the conclusion that the note was written by one person and the signature by another.

Figured in Lynchburg.  
[Special to The Times-Dispatch.]  
LYNCHBURG, Va., December 13.—It was learned here to-day that Miss Virginia Wardlaw, who is held in Essex county, N. J., charged with the death of Oey Sneed, spent some time in Lynchburg in the summer of 1908.

Some very mysterious circumstances surrounded her stay, which, because of recent developments, are all the more mysterious. The woman came here with her nephew, John Sneed, brother of Oey's husband, who was mysteriously buried to death at Christiansburg seven months before the death of Sneed, husband of Oey, who disappeared in Brooklyn. Mrs. Wardlaw, it is recalled, was watched over by Miss Kinsey, who is now in the city.

John Sneed was there from June 10 to June 23, 1908. During the first two days John was watched over by his brother, Fletcher. Then Fletcher disappeared, and during the remainder of the stay the woman kept guard.

According to persons who recall the incident, the woman permitted no one to talk to John Sneed, who appeared as though he was already doped or was completely dominated by the aunt. They disappeared from there as mysteriously as they came to the city.

Depend Posters Move.  
WASHINGTON, December 13.—Senator Depew today introduced a bill appropriating \$250,000 in aid of the American Emancipation Exposition, which it is proposed to hold at Savannah, Ga., in 1913, in commemoration of the fiftieth anniversary of the signing of the emancipation proclamation.

## Leopold, King of the Belgians



## COMMITTEE SETS TIME FOR HEARINGS

Senate Body Will Listen to Ap-  
peals From State Insti-  
tutions.

## WORK WILL BE EXPEDITED

Nobody Will Be Heard More  
Than Two Hours—Work  
Begins To-Day.

## Senate Finance Committee Hearings

TUESDAY, DECEMBER 14.  
State Horticultural Society.  
State Commission of Fisheries.  
Virginia School for the Deaf and  
the Blind.

WEDNESDAY, DECEMBER 15.  
University of Virginia.  
Virginia Military Institute.  
Virginia Polytechnic Institute.

THURSDAY, DECEMBER 16.  
William and Mary College.  
State Normal School, Staunton.  
Female Normal School, Fredericksburg.

FRIDAY, DECEMBER 17.  
10 A. M.—Colored Normal and Industrial Schools at Petersburg and Hampton.  
Noon—General Hospital Board.

Pursuant to a resolution passed at the last session of the Legislature, the Senate Finance Committee met yesterday, adopted the above schedule of hearings for part of its session, called Chief Clerk C. Leo Moore, of the State Auditor's office, as to the present and prospective revenues of the Commonwealth, and cleared the decks for action to-day.

Resolved by the Senate, That the Finance Committee of this body shall assemble thirty days before the time of meeting of the next General Assembly, and prepare the appropriation bill, or proper without an increase of salary or annuity. This bill shall be introduced on the first day of the next regular session, and be placed on the calendar of the next succeeding day as a special and continuing order.

"The Finance Committee shall hear the heads of the various State institutions, and then, after the presentation of special bills for such increases, salaries and annuities, but each item shall be in a separate bill, so that it may be considered by the Senate as a special bill."

"But no special appropriation bill, either on a salary, annuity, shall be introduced by the Senate until the appropriation bill proper has passed both bodies of the General Assembly."

"The Finance Committee shall prepare a statement, a copy of which shall be laid on the desks of the members of the General Assembly, as to the condition of the State Treasury, if the appropriation bill proper, as they have introduced it, is made law. They shall resolve the per diem allowed by law for actual attendance, but it shall be paid out of the Senate contingent fund. The clerk of the Senate shall be paid out of the same fund."

(Continued on Page Five—Column 2.)

## LEOPOLD MAKING FIGHT WITH DEATH

Odds Greatly Against  
Aged King of the  
Belgians.

## SURGEON'S KNIFE AS LAST RESORT

Master Mind, Which Conceived  
Congo Project, Calmly Directs  
Final Chapter of Spectacular  
Career—One Daughter,  
Princess Clementine,  
Still Faithful to Him.

RUSSELS, December 13.—Leopold II, King of the Belgians, to-night is making a desperate fight with death, and the odds are strongly against the aged monarch. As a last resort the surgeon's knife will be tried to-morrow. If the operation is successful, King Leopold may live. If it fails the end is inevitable. All will depend upon the King's strength and vitality, which are fast ebbing.

Rheumatism has already conquered the aged and wasted frame. Dropsy has developed, and an obstruction of the intestine, which must be removed, has greatly aggravated his condition. The general opinion is that the King will not survive the operation. Indeed, he may not at any moment. The monarch himself is rather optimistic, and to-day exclaimed to his physician:

"Oh, the sooner the better, but," he added with a wan, wistful smile, "perhaps, doctor, the long, long journey is at hand."

King Leopold is still as lucid of intellect as ever. This masterful mind, which conceived and carried out the gigantic Congo project and ruled the whole world into bitter indictment and discussion, calmly directed what seems to be the final chapter in his spectacular career.

The picture was pathetic enough. Separated from his two eldest daughters by a tragic skein of events, with scandals of his own personal life whispered by every tongue, Leopold lay to-night in "The Palace," a little pavilion of six rooms close to the great empty Laeken Castle, surrounded by his faithful daughter, Princess Clementine, Crown Prince Albert and the royal household. The castle is empty, for the King sold all the furniture, dismissed the servants and withdrew to the pavilion.

During the morning the King, assisted by a notary and solicitors, signed his private affairs. He declared his will, and as his strength failed, the King whispered to his chaplain, and the aged and devoted priest, with tears wetting his cheeks, approached the bed and heard his confession and administered communion and extreme unction.

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## APPALLING CONDITIONS

Immigration Agents Make Their  
Reports on Steerage Travel.

WASHINGTON, D. C., December 13.—A report on steerage conditions, based on information obtained by the Immigration Commission, traveling as steerage passengers on different trans-Atlantic steamers, was made public to-day. The report, which was presented to the Senate with recommendations for legislation to better conditions. Conditions found on many of these vessels are described as appalling.

The general report of the commission contains the reports of individual agents, giving the details of the conditions found on the various vessels, where they posed as steerage passengers. A woman agent, who was herself miserably insulted and compelled to withstand repulsive privations, said:

"During these twelve days in the steerage I lived in a disorder and in surroundings that offended every sense. Only the fresh breeze from the sea overcame the sickening odors. The vile language of the men, the sea-sickness of the women, the wailing, the crying of children, wretched because of their surroundings, and practically every sound that reached the ears irritated and annoyed. There was no light before the eye did not prefer to close."

"Everything was dirty, sticky and disagreeable to the touch. Every impression was offensive. Worse than this was the general air of immorality. For fifteen hours each day I witnessed all around me this improper, indecent and forced mingling of men and women."

The report continues at considerable length, but the conditions which are treated are so foul and repulsive as to make them unprintable.

Sir Alfred Jones Dead.  
LONDON, December 13.—Sir Alfred Lewis Jones, head of the firm of Elder, Dempster & Co., shipowners, died to-day. He was born in 1848.

News Received Calmly.  
CINCINNATI, O., December 13.—Judge Lorton and his associates were not disturbed by the hearing of a \$500,000 will case to-day, when a reporter entered the court with the news of the judge's appointment to the United States Supreme bench. The reporter quietly whispered the news to the

(Continued on Page Nine—Column 2.)

## LURTON ELEVATED TO SUPREME BENCH

His Nomination Sent  
to Senate by  
Taft.

## SUCCEEDS LATE RUFUS PECKHAM

Intimations of Serious Opposi-  
tion to Confirmation Owing to  
Reputed Favoritism for  
Trusts—Appointee Is 65  
Years Old and a  
Democrat.

WASHINGTON, December 13.—Before leaving Washington for New York early this morning President Taft directed that the nomination of Judge Horace H. Lorton, of the sixth United States circuit, be sent to the Senate to-day as associate justice of the Supreme Court. This was done, another judicial nomination forwarded to the Senate the same time being that of Judge George W. Carpenter, of the city courts of Chicago, as Federal judge in that city.

The nomination of Judge Lorton has been anticipated ever since the death of Rufus W. Peckham, associate justice of the Supreme bench. Mr. Peckham was a Democrat in politics, or, at least, was of that political faith when he was appointed to the Supreme bench December 9, 1895, by President Cleveland. Judge Lorton was also a Democrat at the time he was named to the bench of the sixth circuit by President Cleveland. This was March 27, 1893.

Judge Lorton was at that time a Tennessee lawyer. He has resided at Nashville ever since his appointment to the circuit bench.

May Oppose Confirmation.  
The day in which the nomination of Judge Lorton caused much speculation, and there have been intimations that the nomination will be strongly fought in the Senate, owing to the supposed trust leaning of the Tennessee jurist. A number of his decisions have recently been referred to as stamping him with favoritism toward the trusts. It has been charged that Judge Lorton, in reversing his decisions, he will be hostile to the government in the Standard Oil case, which will come before the Supreme Court for final adjudication about the time he begins his duties.

The President is familiar with many of the decisions of Judge Lorton, and has investigated other decisions through Attorney-General McKeen. He is satisfied with the record of the Tennessee jurist. Some of the most important decisions ever rendered by Judge Lorton were in conjunction with President Taft, when the latter was a judge of the sixth circuit. Judge Taft sat on this bench before he was appointed governor of the Philippines in 1898, and it was his private wish that Judge Lorton should succeed him in handling the business of the court, that gave him such a high opinion of the Tennesseean.

It is not believed there will be any serious opposition to confirming the nomination of Judge Lorton. He will probably be confirmed after a short investigation of the committee. The allegation that his decisions have been uniformly favorable to the trusts is disputed by those who know his record. Judge Lorton is said to have declared that some of his decisions in monopoly cases have guided Federal judges in the Standard Oil case.

Quoted decisions of Judge Lorton to sustain the case of the Standard Oil company. These were the Addyston pipe trust case, the medicine trust case, the wall paper trust case, and the Ohio oil trust case. These were all pioneer cases in the Federal courts. The United States Supreme Court, it is pointed out, has no rule of precedent as to these cases. Ex-Representative John Wesley Gaines, of Tennessee, who shudders at the name of Judge Lorton, said: "The allegation that Judge Lorton is a trust jurist was absolutely false. I would not support my brother if he were a trust jurist."

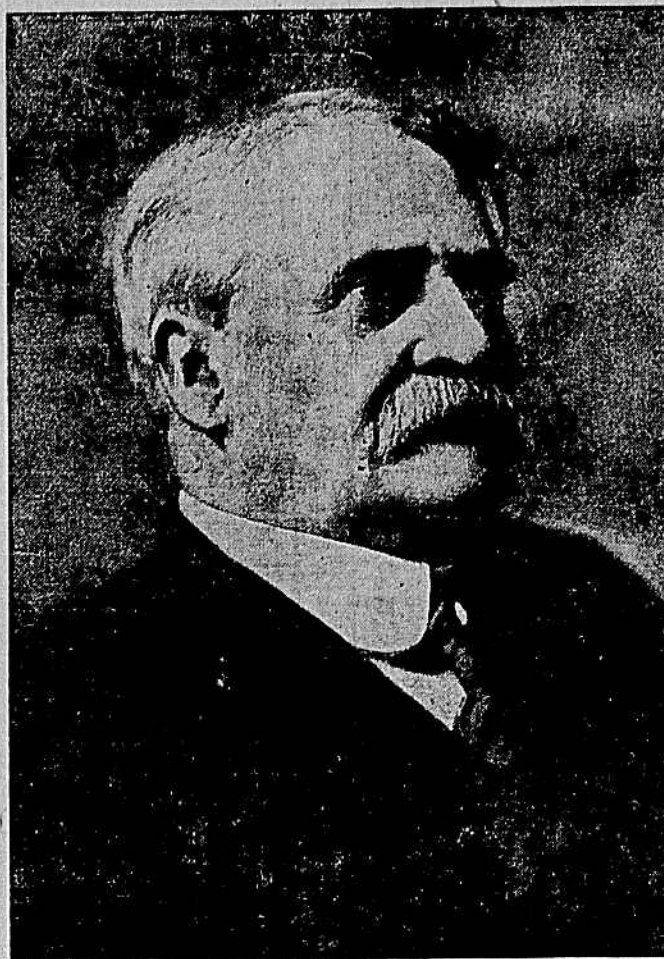
Two Women Always There.  
Mrs. Torrence, wife of the dead man, and Mrs. Gentry, who took part in the intrigues which resulted in the death of one man, the charge of murder against another, have been in the court since the trial began. They were important witnesses, and their attendance has been necessary. But they have exhibited no concern as to the position they now occupy in the public eye, and yesterday Mrs. Torrence flung aside her veil and exposed her face to curious glances from the street. No melanchoyly marked her visage, and were it not for the heavy black veil thrown back upon her hat and her dark apparel no one would imagine that she had been recently made a widow by the hand of a friend.

Among the many spectators who daily throng the courtroom is Conway's father, who occupies a seat beside his son. He listens attentively to all the testimony, to every argument and to every objection. He has been with his son every day. Mrs. Conway, the prisoner's mother, has been present only once, that time she was called to the witness stand.

The final Evidence.  
The morning session, which began at 10 o'clock, was occupied with the examination of rebuttal witnesses, the prosecution attempting to prove that Torrence did not have the reputation of carrying a pistol, as alleged by certain witnesses for the defense.

(Continued on Page Nine—Column 1.)

## JUDGE HORACE H. LURTON



## CONWAY MAY KNOW HIS FATE TO-DAY

Long Instructions to Jury Cause  
Another Delay in Torrence  
Murder Trial.

## ATTORNEYS FAIL TO AGREE

Argument Begins This Morning,  
With Three Hours Allotted  
to Each Side.

Owing to the failure of lawyers to agree over certain clauses in the instructions to be given to the jury in the trial of James R. Conway for the murder of James E. Torrence, Judge Witt adjourned court at 4:55 o'clock yesterday afternoon until 11 o'clock this morning, when argument will begin. Judge Witt explained that the instructions were so voluminous that it would be impossible for him to go over them before the jury designated. Upon the majority of the instructions the attorneys were agreed, but those on which they failed to agree are of the utmost importance, and as a man's life and liberty hang in the balance, Judge Witt is giving them his most careful attention and consideration.

The prisoner listened to the court's decision with the same appearance of apathy that has characterized his posture throughout the trial. His face still bears the same dejected look, though it brightens with fleeting expression as he occasionally confers with his lawyers, H. M. Smith, Jr., and L. O. Wendenburg. Notwithstanding his marked look of abstraction, the prisoner is following the case carefully, and misses not a point scored by either side.

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(Continued on Page Nine—Column 1.)

## BIJOU ORCHESTRA REFUSED TO PLAY

Musical Comedy Forced to Hum  
Alone While Leader Oper-  
ated on Piano.

## "CHARLOTTE TEMPLE" ECHO

Musicians Quit Because They  
Were Not Paid for Week  
Theatre Was Dark.

Because the ghost refused to walk during the week that the Bijou Theatre was closed under orders of Mayor Richardson, the Bijou Orchestra refused to play for "King Casey" last night, and Musical Director Burton, of the company, filled in the gaps by operating on the piano.

But the prolonged sounds from the orchestra pit did not dampen the enjoyment of the audience, which traveled quickly and joyfully from the Waldorf-Astoria to the Island of Lala Pa Zaza with Casey and the girls. The Rays, who have made this Casey's famous as his namesake at the bat, have a musical comedy which requires action from the orchestra, and the refusal to play came at a bad time. Still, it did not force the Bijou to close again.

Echo of Ugly Play.  
The differences between the musicians and the theatre management have existed since the night "Charlotte Temple" was forced to beat it. The orchestra worked on the opening night, but the management refused to work again unless something else was produced, and as nothing else could be brought here in the meantime the house had to remain dark. Manager McKee contended that inasmuch as he did not stop the show he was not expected to pay for the week the orchestra was idle. The orchestra contended that it is employed by the season, on a weekly wage scale, and that it was entitled to a week's pay. Manager McKee did say last night, however, that if the Mayor had not issued the order when he did the Bijou management would have ordered "Charlotte Temple" away, in which event the orchestra would have received its regular wage.

Professor Moses Stein, of the Academy Orchestra, has the contract to supply the Bijou with music, and Manager McKee looks to him to put in another half-dozen this week, or certainly by Monday.

Called on Manager.  
All members of the orchestra belong to the local union. A meeting was held on Sunday, when the matter, which has been hanging fire for some weeks, was again discussed in detail. Yesterday morning a committee waited on Manager McKee and informed him that unless the week's salary was paid—instead of the one night which the musicians say they refused to accept—there would be no music.

There was no final agreement, however, at the morning conference, so the orchestra went through the rehearsal yesterday afternoon. The show-down came last night.

Manager McKee reported that the president of the International Music Association, in New York, to whom the matter had been explained over the long-distance telephone yesterday, gave as his opinion that the orchestra could not expect a week's pay when it had played only one night, and when the deficiency itself was not responsible for the day work.

Members of the orchestra heard what the president said, though it did not move them from their determination to quit.

Casey frowned a bit last night when he had to make do with the King of Lala Pa Zaza without the accompaniment of an orchestra, but Director Burton was pounding the piano with extra licks. The melody came forth and the chorus tried to make up for the deficiency by lifting its voice above the second story. And the audience wondered why.

## BATTLE AT RAMA WON BY ZELAYA, LATEST RUMOR

Said to Have Been  
Heavy Loss of  
Life.

## CITY IS REPORTED LOST BY REBELS

Stories Coming by Way of Managua Not Yet Confirmed,  
Mexico Is Missing Up the  
Situation by Her Desire  
to Have Hand in  
Affair.

Zelaya's Army Does  
Not Wish to Fight

WASHINGTON, D. C., December 13.—Senator Castillo, representative of Ecuador, received late to-night a message from Diaz, secretary to Estrada, which he translated as follows:

"Zelaya's army does not wish to fight. We probably will take the offensive. We are very strong."

MANAGUA, NICARAGUA, December 13.—The report is current here that there has been a severe engagement near Rama between the government troops, commanded by General Vasquez, and the revolutionists, with heavy losses of life. There has also been a report that Rama has been captured by the Zelayan forces, but this is not confirmed.

According to the dispatches, the revolutionists claim that they were attacked in violation of the armistice, but this is not believed.

Telegraphic communications are interrupted, and the exact facts are lacking, but it is supposed that the government officials here that General Vasquez was attacked by the enemy, as he was under orders from Zelaya not to make an attack. The armistice which was arranged between General Vasquez and General Estrada ended at 3 A. M. Friday. General Vasquez sought its prolongation for two additional days, but Estrada refused. During the night the question of the acceptance of Dr. Jose Madriz as Zelaya's successor was submitted to Estrada's followers, and the armistice was brought to a close by a flat refusal to consider him for that position.

Colony In Frenzy.  
WASHINGTON, D. C., December 13.—Because of the renewed activities of the agents of Zelaya in the United States, the Central American colony here was thrown to-night into a frenzy of excitement. These agents, they declared, have managed to prevent a decisive victory for the revolutionists.

The principal officer of the so-called Zelayan agents is said to be here, but he is keeping himself out of the way. "This man," said one of the Nicaraguans, "discussing the question of the arrival of a steamer, a steamer which he believed in a new regime for Nicaragua. He had been in this country some time, when he was intrusted with funds from the Estrada party with which to purchase the arms shipped on the Norwegian steamer Utrecht. He did so. His good intentions were not doubted until the arms arrived in Nicaragua, when it was found that the rifles and rapid fire guns were useless, because ammunition that would not fit their bores had been sent along."

When the discovery was made a second shipment of arms and ammunition was forwarded, the munitions of war in this case being carefully stored in the arms being of the latest pattern.

A cable dispatch from General Estrada, leader of the revolutionary forces in Nicaragua to Senator Castillo, representative of the United States, was received to-day, in which General Estrada declares unequivocally that Dr. Madriz will not be acceptable to the revolutionary forces as a successor to President Zelaya. The cable states that such a step would mean merely a continuation of the Zelaya regime.

Groves More Complicated.  
WASHINGTON, December 13.—The Nicaragua affair is becoming more and more complicated, due to the expressed desire of the Mexican government to prevent the United States from intervention and to the imminence of a decisive conflict between the forces of Zelaya and Estrada in the vicinity of Bluefields. In case of a real fight at Bluefields it is difficult to see how the United States can avoid becoming more or less involved in the hostilities. It has large property interests in this city, and it is said there are more than 125 American residents. In case the government troops should enter the city and begin a campaign of loot and rapine, property of citizens of the United States undoubtedly would suffer with the rest.

It is believed that it was to meet just such a contingency that the warships Des Moines and Tacoma, and the collier Leonidas were ordered post haste to that port. Three vessels are now anchored in the harbor, and it is said that Estrada, the revolutionary leader, depends on their help to prevent the Zelayan forces from capturing the city and destroying his army.

It is a safe assumption that if the Zelayan soldiers entered Bluefields they undoubtedly would commit some act of violence or lawlessness that would justify forcible interference by American warships. Marines would be landed if necessary, and if that were impossible it would be easy to train the ships' guns on the city and bombard the invading army. Nothing definite as to the situation at Bluefields reached the State or Navy Department to-day, and it is not believed that the

## PAY POLL TAXES TO-DAY

All persons who have not paid their poll taxes for the last three years must settle with their city or county treasurer to-day, in order to be qualified to vote in the spring election, on the second Tuesday in June. The electorate as fixed at that time will apply to all primaries, and to any local option or State option election held after January 1. In Richmond the entire Common Council and a majority of the Board of Aldermen will be elected at a primary in April. To vote in that primary poll taxes must be paid to the City Treasurer to-day.